

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ANGELENA SANDIFOR, BRENDA
BLANDON, JAMIE UTTERBACK,

Plaintiffs,

v.

COUNTY OF LOS ANGELES, LOS
ANGELES COUNTY SHERIFF'S
DEPARTMENT, LOS ANGELES
COUNTY SHERIFF JIM
McDONNELL, in his individual and
official capacity, DEPUTY
GIANCARLO SCOTTI, in his
individual and official capacity, and
DOES 1 to 10,

Defendants.

CASE NO. 2:18-cv-7650- DMG
(PLAx)

**ORDER RE: PARTIES JOINT
AMENDMENT TO PROTECTIVE
ORDER**

[Assigned to Hon. Dolly M. Gee
Courtroom "8C"]

///
///
///
///
///

1 The Court has read and considered the stipulation by and between the parties
2 herein regarding a joint amendment to the existing Protective Order in this action
3 (Docket Entry No. 28).

4 The Court finds that good cause exists and ORDERS the below terms and
5 conditions be adopted as an amendment to the existing Protective Order.

6 1. DEFINITIONS:

7 3.1 Custody: Confinement to a jail facility, whether state or federal, and
8 whether owned and/or operated by the Los Angeles County Sheriff's
9 Department or not. Custody as used in this amendment also includes
10 supervised release programs (e.g. *in-house* drug treatment programs), but
11 does **not** include other forms of supervised release (e.g. probation or
12 parole);

13 3.2 Attorney's Eyes Only: Documents or matters designated as Attorney's
14 Eyes Only may be disclosed only to Counsel and Experts as defined in
15 Paragraph 3.3-3.4, *infra*, exclusively;

16 3.3 Counsel: Counsel of record for the parties to this action, including
17 their support staff and experts;

18 3.4 Experts: A person with specialized knowledge or experience in a
19 matter pertinent to the litigation who has been retained by a party to this
20 action.

21 2. The parties and their Counsel will adhere to the following procedure
22 regarding contacting third party current or former inmates identified in County
23 Defendants' Supplemental Responses to Interrogatory Nos. 21-22 (hereafter referred
24 to as the Supplemental Responses) and/or within County Defendants' Supplemental
25 Responses to Requests for Production Nos. 52, 57, 59-60, 62, and 64 (hereafter,
26 referred to as the "Investigative Documents"):

27 ///

28 ///

- a. Should Plaintiffs' Counsel (or anyone acting at their behest) seek to contact the individuals identified in the Supplemental Responses and/or Investigative Documents and those persons are in "CUSTODY," that Plaintiffs' Counsel, and/or their designated representative shall:
 1. Make good faith attempts to secure a private room at the facility, unencumbered by other inmates or custodial staff;
 2. Not specify to any other person at the facility (custodial staff or inmate), the reason for the visit, or the anticipated content of the interview with the inmate(s);
 3. Ensure that appropriate consent has been given for the inmate(s) participation in the interview;
 4. Not disclose to the inmate(s) who they represent, or the claims being raised by the parties herein;
 5. Request that the inmate(s) keep confidential, the subject matter discussed in the interview; and
 6. Advise the inmate(s) of their rights to seek *inter alia* psychological services pursuant to the Prison Rape Elimination Act ("PREA"), following the interview.
- b. If inmate is already represented by civil counsel, that Plaintiffs' Counsel **only** contact said inmate by and through their counsel;
- c. If the person(s) identified in the Supplemental Responses and/or Investigative Documents are not in "CUSTODY," that the above procedures do not apply to Plaintiffs' Counsel's contemplated contact with these person(s) and that where called for in the request, **only** the address and telephone number the inmate furnished to the Los Angeles County Sheriff's Department upon his/her most recent arrest, will be furnished by County Defendants.

///

1 3. Because the names of third party current or former inmates are likely to be
2 contained within the Supplemental Responses and/or the Investigative Documents,
3 such materials may be designated as Attorney's Eyes Only. Materials designated in
4 this manner may be disclosed only to Counsel and Experts as defined in Paragraph
5 3.3-3.4, *supra*, exclusively. Any further disclosure of such information shall occur
6 only by agreement of the parties in writing or by way of court order,
7 notwithstanding the provisions of sections V and VI. of the Protective Order
8 (Docket Entry No. 28).

9 4. The agreements outlined herein constitute an amendment to the existing
10 Protective Order (Docket Entry No. 28), and that failure to adhere to these terms be
11 considered a violation of said Order and that penalties will be imposed to the extent
12 outlined in Section XVI of said Order.

13
14 **APPROVED AND SO ORDERED:**

15 

16 Dated: June 10, 2019

17

THE HONORABLE PAUL L. ABRAMS
18 UNITED STATES MAGISTRATE JUDGE
19
20
21
22
23
24
25
26
27
28